

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ROBIN G. PALMER
1700 Dairy Ave, #72
Corcoran, CA 93212

Registered Nurse License No. 636645

Respondent

Case No. 2008-32

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on December 24, 2008.

IT IS SO ORDERED November 24, 2008.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART, State Bar No. 083047
Supervising Deputy Attorney General
4 1300 I Street, Suite 125
P.O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 324-5339
6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2008-32

12 ROBIN G. PALMER
451-991 Hwy. 395
13 Milford, California 96121,

OAH No. 2008020657

14 Registered Nurse No. 636645

STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER

15 Respondent.
16

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
23 by Arthur D. Taggart, Supervising Deputy Attorney General.

24 2. Respondent Robin G. Palmer (Respondent) is represented in this
25 proceeding by attorney Edgardo Gonzalez, Esq., whose address is Law Offices of Edgardo
26 Gonzalez, 1300 Clay Street, Suite 600, Oakland, California 94612.

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1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART, State Bar No. 83047
Lead Supervising Deputy Attorney General
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7 Attorneys for Complainant
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9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. *2008 - 32*

13 **ROBIN G. PALMER**
451-991 Hwy 395
14 Milford, CA 96121

ACCUSATION

15 Registered Nurse License No. 636645,

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about April 27, 2004, the Board of Registered Nursing ("Board")
23 issued Registered Nurse License Number 636645 to Robin G. Palmer ("Respondent"). The
24 license will expire on September 30, 2007, unless renewed.

25 **JURISDICTION**

26 3. Section 2750 of the Business and Professions Code ("Code") provides:

27 Every certificate holder or licensee, including licensees
28 holding temporary licenses, or licensees holding licenses placed
in an inactive status, may be disciplined as provided in this

3. On or about April 27, 2004, the Board of Registered Nursing issued Registered Nurse No. 636645 to Robin G. Palmer. The license will expire on September 30, 2009, unless renewed.

JURISDICTION

4. Accusation No. 2008-32 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 3, 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2008-32 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read and understands the charges and allegations in Accusation No. 2008-32. Respondent has also carefully read and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2008-32.

9. Respondent agrees that her Registered Nurse is subject to discipline and she agrees to be bound by the Board of Registered Nursing (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse No. 636645 issued to Respondent Robin G. Palmer is revoked. However, the revocation is stayed, and Respondent is placed on probation for three (3) years on the following terms and conditions:

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to

1 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
2 compliance with this condition, Respondent shall submit completed fingerprint forms and
3 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
4 as part of the licensure application process.

5 **Criminal Court Orders:** If Respondent is under criminal court orders, including
6 probation or parole, and the order is violated, this shall be deemed a violation of these probation
7 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

8 2. **Comply with the Board's Probation Program.** Respondent shall fully
9 comply with the conditions of the Probation Program established by the Board and cooperate
10 with representatives of the Board in its monitoring and investigation of the Respondent's
11 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
12 within no more than 15 days of any address change and shall at all times maintain an active,
13 current license status with the Board, including during any period of suspension or tolling of
14 probation pursuant to paragraphs 4 and 5 below.

15 Upon successful completion of probation, Respondent's license shall be fully
16 restored.

17 3. **Report in Person.** Respondent, during the period of probation, shall
18 appear in person at interviews/meetings as directed by the Board or its designated
19 representatives.

20 4. **Residency, Practice, or Licensure Outside of State.** Periods of
21 residency or practice as a registered nurse outside of California shall not apply toward a reduction
22 of this probation time period. Respondent's probation is tolled, if and when she resides outside
23 of California. Respondent must provide written notice to the Board within 15 days of any change
24 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
25 returning to practice in this state.

26 Respondent shall provide a list of all states and territories where she has ever been
27 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
28 provide information regarding the status of each license and any changes in such license status

1 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
2 new nursing license during the term of probation.

3 **5. Submit Written Reports.** Respondent, during the period of probation,
4 shall submit or cause to be submitted such written reports/declarations and verification of actions
5 under penalty of perjury, as required by the Board. These reports/declarations shall contain
6 statements relative to Respondent's compliance with all the conditions of the Board's Probation
7 Program. Respondent shall immediately execute all release of information forms as may be
8 required by the Board or its representatives.

9 Respondent shall provide a copy of this Decision to the nursing regulatory agency
10 in every state and territory in which she has a registered nurse license.

11 **6. Function as a Registered Nurse.** Respondent, during the period of
12 probation, shall engage in the practice of registered nursing in California for a minimum of 24
13 hours per week for 6 consecutive months or as determined by the Board.

14 For purposes of compliance with the section, "engage in the practice of registered
15 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
16 work in any non-direct patient care position that requires licensure as a registered nurse.

17 The Board may require that advanced practice nurses engage in advanced practice
18 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
19 Board.

20 If Respondent has not complied with this condition during the probationary term,
21 and Respondent has presented sufficient documentation of her good faith efforts to comply with
22 this condition, and if no other conditions have been violated, the Board, in its discretion, may
23 grant an extension of Respondent's probation period up to one year without further hearing in
24 order to comply with this condition. During the one year extension, all original conditions of
25 probation shall apply.

26 **7. Employment Approval and Reporting Requirements.** Respondent
27 shall obtain prior approval from the Board before commencing or continuing any employment,
28 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all

1 performance evaluations and other employment related reports as a registered nurse upon request
2 of the Board.

3 Respondent shall provide a copy of this Decision to her employer and immediate
4 supervisors prior to commencement of any nursing or other health care related employment.

5 In addition to the above, Respondent shall notify the Board in writing within
6 seventy-two (72) hours after she obtains any nursing or other health care related employment.

7 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
8 terminated or separated, regardless of cause, from any nursing, or other health care related
9 employment with a full explanation of the circumstances surrounding the termination or
10 separation.

11 8. **Supervision.** Respondent shall obtain prior approval from the Board
12 regarding Respondent's level of supervision and/or collaboration before commencing or
13 continuing any employment as a registered nurse, or education and training that includes patient
14 care.

15 Respondent shall practice only under the direct supervision of a registered nurse
16 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
17 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
18 are approved.

19 Respondent's level of supervision and/or collaboration may include, but is not
20 limited to the following:

21 (a) Maximum - The individual providing supervision and/or collaboration is
22 present in the patient care area or in any other work setting at all times.

23 (b) Moderate - The individual providing supervision and/or collaboration is in
24 the patient care unit or in any other work setting at least half the hours Respondent works.

25 (c) Minimum - The individual providing supervision and/or collaboration has
26 person-to-person communication with Respondent at least twice during each shift worked.

27 (d) Home Health Care - If Respondent is approved to work in the home health
28 care setting, the individual providing supervision and/or collaboration shall have person-to-

1 person communication with Respondent as required by the Board each work day. Respondent
2 shall maintain telephone or other telecommunication contact with the individual providing
3 supervision and/or collaboration as required by the Board during each work day. The individual
4 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
5 site visits to patients' homes visited by Respondent with or without Respondent present.

6 **9. Employment Limitations.** Respondent shall not work for a nurse's
7 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
8 traveling nurse, or for an in-house nursing pool.

9 Respondent shall not work for a licensed home health agency as a visiting nurse
10 unless the registered nursing supervision and other protections for home visits have been
11 approved by the Board. Respondent shall not work in any other registered nursing occupation
12 where home visits are required.

13 Respondent shall not work in any health care setting as a supervisor of registered
14 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
15 nurses and/or unlicensed assistive personnel on a case-by-case basis.

16 Respondent shall not work as a faculty member in an approved school of nursing
17 or as an instructor in a Board approved continuing education program.

18 Respondent shall work only on a regularly assigned, identified and predetermined
19 work site(s) and shall not work in a float capacity.

20 If Respondent is working or intends to work in excess of 40 hours per week, the
21 Board may request documentation to determine whether there should be restrictions on the hours
22 of work.

23 **10. Complete a Nursing Course(s).** Respondent, at her own expense, shall
24 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
25 than six months prior to the end of her probationary term.

26 Respondent shall obtain prior approval from the Board before enrolling in the
27 course(s). Respondent shall submit to the Board the original transcripts or certificates of

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1 completion for the above required course(s). The Board shall return the original documents to
2 Respondent after photocopying them for its records.

3 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
4 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
5 amount of Five Hundred Five Dollars (\$505.00). Respondent shall be permitted to pay these
6 costs in a payment plan approved by the Board, with payments to be completed no later than
7 three months prior to the end of the probation term.

8 If Respondent has not complied with this condition during the probationary term,
9 and Respondent has presented sufficient documentation of her good faith efforts to comply with
10 this condition, and if no other conditions have been violated, the Board, in its discretion, may
11 grant an extension of Respondent's probation period up to one year without further hearing in
12 order to comply with this condition. During the one year extension, all original conditions of
13 probation will apply.

14 12. **Violation of Probation.** If Respondent violates the conditions of her
15 probation, the Board, after giving Respondent notice and an opportunity to be heard, may set
16 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
17 license.

18 **OTHER BOARD OR REGULATORY AGENCY ORDERS:** If Respondent
19 is subject to concurrent disciplinary order(s) from any other health-care related board or any
20 professional licensing or certification regulatory agency, and violates the order(s), this shall be
21 deemed a violation of probation and may result in the filing of an Accusation and/or Petition to
22 Revoke Probation.

23 If, during the period of probation, an accusation or petition to revoke probation
24 has been filed against Respondent's license or the Attorney General's Office has been requested
25 to prepare an accusation or petition to revoke probation against Respondent's license, the
26 probationary period shall automatically be extended and shall not expire until the accusation or
27 petition has been acted upon by the Board.

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1 13. **License Surrender.** During Respondent's term of probation, if she ceases
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
5 take any other action deemed appropriate and reasonable under the circumstances, without
6 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
7 will no longer be subject to the conditions of probation.

8 Surrender of Respondent's license shall be considered a disciplinary action and
9 shall become a part of Respondent's license history with the Board. A registered nurse whose
10 license has been surrendered may petition the Board for reinstatement no sooner than the
11 following minimum periods from the effective date of the disciplinary decision:

12 (1) Two years for reinstatement of a license that was surrendered for any
13 reason other than a mental or physical illness; or

14 (2) One year for a license surrendered for a mental or physical illness..

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ED GONZALEZ

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DEPARTMENT OF JUSTICE

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Edgardo Gonzalez, Esq. I understand the stipulation and the effect it will have on my Registered Nurse license. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 5-27-08


ROBIN G. PALMER
Respondent

I have read and fully discussed with Respondent Robin G. Palmer the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 5-28-08


EDGARDO GONZALEZ, ESQ.
Attorney for Respondent

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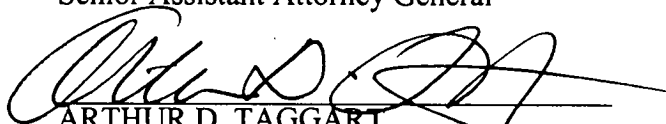
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: June 4, 2008

EDMUND G. BROWN JR., Attorney General
of the State of California

ALFREDO TERRAZAS
Senior Assistant Attorney General


ARTHUR D. TAGGART
Supervising Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: SA2006101939
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Exhibit A
Accusation No. 2008-32

1 article [Article 3 of the Nursing Practice Act (Bus. & Prof.
2 Code, § 2700 et seq.)]. As used in this article, 'license'
3 includes certificate, registration, or any other authorization to
4 engage in practice regulated by this chapter. The proceedings
5 under this article shall be conducted in accordance with Chapter 5
(commencing with Section 11500) of Part 1 of Division 3 of
6 Title 2 of the Government Code [the Administrative Procedure
7 Act], and the board shall have all the powers granted therein.

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11 4. Code section 2764 provides:

12 The lapsing or suspension of a license by operation of
13 law or by order or decision of the board or a court of law, or the
14 voluntary surrender of a license by a licentiate shall not deprive
15 the board of jurisdiction to proceed with any investigation of
16 or action or disciplinary proceeding against such license, or
17 to render a decision suspending or revoking such license.

18 STATUTORY PROVISIONS

19 5. Code section 2761 provides, in pertinent part:

20 The board may take disciplinary action against a certified or
21 licensed nurse or deny an application for a certificate or license for
22 any of the following:

23 (a) Unprofessional conduct, which includes, but is not
24 limited to, the following:

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26 (4) Denial of licensure, revocation, suspension, restriction,
27 or any other disciplinary action against a health care professional
28 license or certificate by another state or territory of the United
States, by any other government agency, or by another California
health care professional licensing board. A certified copy of the
decision or judgment shall be conclusive evidence of that action.

6. Code section 125.3 provides that the Board may request the
administrative law judge to direct a licentiate found to have committed a violation or
violations of the licensing act to pay a sum not to exceed the reasonable costs of the
investigation and enforcement of the case.

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1 **CAUSE FOR DISCIPLINE**

2 (Out of State Discipline)

3 7. Respondent's license is subject to disciplinary action for unprofessional
4 conduct under Code section 2761, subdivision (a)(4), in that out of state disciplinary actions
5 were taken against Respondent, as follows:

6 a. **Nevada State Board of Nursing.**

7 1. On or about February 24, 2004, in the Decision and Order in
8 the Agreement for Reprimand and Classes in Case No. 1119, entitled, "*In the Matter of Robin*
9 *Palmer, Licensed Professional Nurse, Nevada License No. RN40535,*" Respondent was publicly
10 reprimanded by the Nevada State Board of Nursing for engaging in a practice beyond the scope
11 of nursing in that on or about November 2, 2003, while employed as a registered nurse at Circle
12 of Life Hospice, Respondent administered a larger dose of morphine to a patient than had been
13 ordered by the patient's treating physician. A copy of the disciplinary action entitled, "*In the*
14 *Matter of Robin Palmer, Licensed Professional Nurse, Nevada License No. RN40535,*" is
15 attached hereto as "Exhibit A," and is incorporated herein by reference.

16 2. On or about May 20, 2005, in the Temporary Voluntary
17 Surrender of License Pending Hearing in Case No. 1008-04C, entitled, "*In the Matter of Robin*
18 *Palmer, Licensed Professional Nurse, Nevada License No. RN40525,*" the temporary voluntary
19 surrender of Respondent's State of Nevada registered nurse license pending a formal hearing or
20 other action in Case No. 1008-04C was accepted by the Nevada State Board of Nursing. A
21 copy of the disciplinary action entitled, "*In the Matter of Robin Palmer, Licensed Professional*
22 *Nurse, Nevada License No. RN40525,*" is attached hereto as "Exhibit B," and is incorporated
23 herein by reference. Pursuant to the temporary voluntary surrender, Respondent voluntarily
24 agreed to cease practicing registered nursing effective March 3, 2005, pending acceptance of
25 the voluntary surrender of her license by the Nevada State Board of Nursing.

26 3. On or about May 20, 2005, in the Voluntary Surrender of
27 License in Lieu of Other Disciplinary Action in Case No. 1008-04C, entitled, "*In the Matter*
28 *of Robin Palmer, Licensed Professional Nurse, Nevada License No. RN40525,*" the voluntary

1 surrender of Respondent's State of Nevada registered nurse license was accepted by the Nevada
2 State Board of Nursing in lieu of other disciplinary action. A copy of the disciplinary action
3 entitled, *"In the Matter of Robin Palmer, Licensed Professional Nurse, Nevada License*
4 *No. RN40525,"* is attached hereto as "Exhibit C," and is incorporated herein by reference.

5 b. **The Board of Nurse Examiners for the State of Texas.**

6 1. On or about November 15, 2004, in the Agreed Order
7 in the case entitled, *"In the matter of License Number 629645 issued to Robin G. Palmer,"*
8 Respondent's State of Texas registered nurse license was sanctioned by the Board
9 of Nurse Examiners for the State of Texas based on the disciplinary action taken against
10 Respondent by the Nevada State Board of Nursing as set forth under paragraph 7(a)(1),
11 above. A copy of the disciplinary action entitled, *"In the matter of License Number 629645*
12 *issued to Robin G. Palmer,"* is attached hereto as "Exhibit D," and is incorporated herein
13 by reference.

14 2. On or about October 26, 2005, in the Order of the Board in
15 the case entitled, *"In the Matter of Registered Nurse License Number 629645 issued to Robin G.*
16 *Palmer,"* the voluntary surrender of Respondent's State of Texas registered nurse license was
17 accepted by the Board of Nurse Examiners for the State of Texas. A copy of the disciplinary
18 action entitled, *"In the Matter of Registered Nurse License Number 629645 issued to Robin G.*
19 *Palmer,"* is attached hereto as "Exhibit E," and is incorporated herein by reference.

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1 **PRAYER**

2 **WHEREFORE**, Complainant requests that a hearing be held on the matters
3 herein alleged, and that following the hearing the Board issue a decision:

- 4 1. Revoking or suspending Registered Nurse License Number 636645,
5 issued to Robin G. Palmer;
6 2. Ordering Robin G. Palmer to pay the reasonable costs incurred by the
7 Board in the investigation and enforcement of this case pursuant to Code section 125.3; and,
8 3. Taking such other and further action as deemed necessary and proper.

9
10 **DATED:** 7/31/07

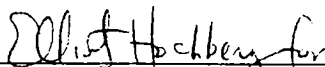
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12 
13 RUTH ANN TERRY, M.P.H., R.N.
14 Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant
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EXHIBIT A

**Disciplinary Action - *"In the Matter of Robin Palmer,
Licensed Professional Nurse, Nevada License No. RN40535"***

JAN 15 2004

NEVADA STATE
BOARD OF NURSING

BEFORE THE NEVADA STATE BOARD OF NURSING

IN THE MATTER OF

ROBIN PALMER

LICENSED PROFESSIONAL NURSE

NEVADA LICENSE NO. RN40525

RESPONDENT

AGREEMENT FOR REPRIMAND
AND CLASSES

CASE NO. 1119-03C

This Agreement is hereby entered into between ROBIN PALMER, (RESPONDENT) and the NEVADA STATE BOARD OF NURSING, (BOARD).

It is hereby stipulated and agreed, by and between the parties to the above-entitled matter, that the following statements are true:

1. RESPONDENT is aware of, understands, and has been advised of the effect of this Agreement, which Respondent herein has carefully read and fully acknowledges. No coercion has been exerted on the Respondent. Respondent acknowledges his/her right to an attorney at his/her own expense. The Respondent has had the benefit at all times of obtaining advice from competent counsel of his/her choice.

2. RESPONDENT understands the nature of the allegations under investigation by the Nevada State Board of Nursing. Respondent freely admits that on or about November 2, 2003, while she was employed as a Registered Nurse at Circle of Life Hospice, she practiced beyond her scope of nursing by administering a larger dose of morphine than the physician had ordered. Respondent acknowledges the conduct described in paragraph two (2) constitutes a violation of the Nevada Nurse Practice Act. (NRS and NAC 632) Respondent further acknowledges that such admissions subject him/her to disciplinary action by the Board.

3. RESPONDENT is aware of the Respondent's rights, including the right to a hearing on any charges and allegations, the right to an attorney at his/her own expense, the right to examine witnesses who would testify against him/her, the right to present evidence in his/her favor and call witnesses on his/her behalf, or to testify him/herself, the right to contest the charges and allegations, the right to reconsideration, appeal or any other type of formal judicial

JAN 15 2004

NEVADA STATE
BOARD OF NURSING

1 review of this matter, and any other rights which may be accorded to him/her pursuant to the
2 Nevada Administrative Procedures Act and the provisions of Chapter 632 of the Nevada Revised
3 Statutes and the Nevada Administrative Code. Respondent agrees to waive the foregoing rights
4 upon acceptance of this Agreement by the Board.

5 4. RESPONDENT understands that the Board is free to accept or reject this
6 Agreement, and if rejected by the Board, a disciplinary proceeding may be commenced.

7 5. Should the Agreement be rejected by the Board, it is agreed that presentation to
8 and consideration by the Board of such proposed Agreement, shall not disqualify the Board, or
9 any of its members, from further participation, consideration, adjudication or resolution of these
10 proceedings, and that no Board member shall be disqualified or challenged for bias therefore.

11 6. This Agreement shall only become effective when both parties have duly
12 executed it and unless so executed, this Agreement will not be construed as an admission.

13 7. This Agreement shall not be construed as excluding or reducing any criminal or
14 civil penalties or sanction or other remedies that may be applicable under federal, state or local
15 laws.

16 8. Based upon the foregoing stipulations and recitals, it is hereby agreed that the
17 Board may issue the following decision and order:

18 DECISION AND ORDER

19 Based on the foregoing, and good cause appearing therefore, it is hereby ordered that:

20 1. RESPONDENT be publicly reprimanded.

21 2. As a condition of licensure/certification, Respondent shall take and successfully
22 complete a medication administration course for a minimum of thirty (30) contact hours in a
23 program of continuing education, which has been pre-approved by the Executive Director, or the
24 Associate Director for Practice. Respondent shall submit documentation of successful
25 completion to the Board within six (6) months of acceptance of this Agreement.

26 3. As a condition of licensure/certification, Respondent shall take and successfully
27 complete a critical thinking course, non home study, at an academic institution, that has been
28 pre-approved by the Executive Director, or the Associate Director for Practice. Respondent shall

RECEIVED - RENO

JAN 15 2004

NEVADA STATE
BOARD OF NURSING

1 submit documentation of successful completion to the board within twelve (12) months of
2 acceptance of this Agreement.

3 This Agreement will become part of the Respondent's permanent record, will become
4 public information, will be published with the list of disciplinary actions the Board has taken,
5 and may be reported to any national repository which records disciplinary action taken against
6 licensees or holders of certificates; or any agency or another state which regulates the practice of
7 nursing. The Agreement may be used in any subsequent hearings by the Board. In the event
8 other misconduct is reported to the Board, this Agreement may be used as evidence against the
9 Respondent to establish a pattern of behavior and for the purpose of proving additional acts of
10 misconduct.

11 NEVADA STATE BOARD OF NURSING

12
13 Robin Palmer
14 RESPONDENT

Patricia Shutt, LPN
Patricia Shutt, LPN
Board President

15
16 1/15/04
17 Date

Apr. 2, 2004
Date

18
19
20
21
22 STATE OF NEVADA)
23)ss
24 COUNTY OF WASHOE)

Chris Sansam, RN
for Debra Scott, MS, RN
Executive Director

2/24/04
Date

25 This instrument was acknowledged before me on 01-15-2004 by Robin Palmer.

26 Eve Tidwell
27 Notary Public

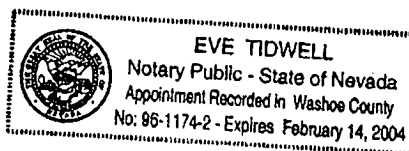


EXHIBIT B

**Disciplinary Action in Case No. 1008-04C - *"In the Matter of Robin Palmer,
Licensed Professional Nurse, Nevada License No. RN40525"***

BEFORE THE NEVADA STATE BOARD OF NURSING

IN THE MATTER OF
ROBIN PALMER
LICENSED PROFESSIONAL NURSE
NEVADA LICENSE NO. RN40525
RESPONDENT

TEMPORARY VOLUNTARY
SURRENDER OF LICENSE
PENDING HEARING

CASE NO. 1008-04C

I, ROBIN PALMER, wish to voluntarily surrender my license pending a formal hearing or other action concerning case number 1008-04C by the Nevada State Board of Nursing. Respondent acknowledges that a formal hearing or an informal settlement agreement will be scheduled for the next available Board meeting in Reno, or as soon thereafter as the Board is able to hear the matter.


RESPONDENT is aware of, understands and has been advised of the effect of this Agreement, which Respondent herein has carefully read and fully acknowledges. No coercion has been exerted on the Respondent. Respondent acknowledges her right to an attorney at her own expense. The Respondent has had the benefit at all times of obtaining advise from competent counsel of her choice. Respondent is aware that the fact that her license is surrendered, is public information.

RESPONDENT understands that this action may be subject to the requirements of Chapter 632 of the Nevada Revised Statutes and the Nevada Administrative Code. This Agreement shall not be construed as excluding or reducing any criminal or civil penalties or sanction or other remedies that may be applicable under federal, state or local laws.


///

1 RESPONDENT understands that this surrender is effective the day it is accepted by the
2 Nevada State Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however she
3 agrees to immediately cease and desist from practicing as a Registered Nurse. Respondent is
4 returning their license with this signed and notarized statement to indicate this choice.

5
6
7 Dated this 3 day of March, 2005


RESPONDENT
ROBIN PALMER

8
9
10 Dated this 3 day of MARCH 2005


Christopher Phipps, ESQ.

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17 Accepted and approved this 20 day of May, 2005

18
19 NEVADA STATE BOARD OF NURSING

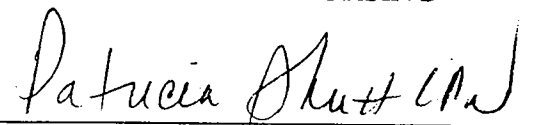
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21 By: 
22 Patricia Shutt, LPN
23 Board President
24
25
26
27
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EXHIBIT C

**Disciplinary Action in Case No. 1008-04C - *"In the Matter of Robin Palmer,
Licensed Professional Nurse, Nevada License No. RN40525"***

1 BEFORE THE NEVADA STATE BOARD OF NURSING
2
3

4 IN THE MATTER OF

5 ROBIN PALMER

6 LICENSED PROFESSIONAL NURSE

7 NEVADA LICENSE NO. RN40525

8 RESPONDENT
9VOLUNTARY SURRENDER OF
LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION

CASE NO. 1008-04C

10 I, ROBIN PALMER, wish to voluntarily surrender my Nevada Nursing License. I
11 voluntarily and knowingly admit the following facts:

- 12 1. I am licensed as a Licensed Professional Nurse in the State of Nevada and I was
13 licensed at the time of the conduct described herein and am, therefore, subject to the
14 jurisdiction of the Board.
- 15 2. That on or about October 11, 2004, a complaint was filed with the Nevada State
16 Board of Nursing ("Board") regarding allegations that I practiced outside the scope of
17 my nursing practice.
- 18 3. The complaint alleges that on or about August 19, 2004, while I was employed as a
19 Registered Nurse at Alere Medical Inc., I instructed a patient to "wean" himself off a
20 prescribed medication ordered to be taken three times a day. This action resulted in
21 the patient experiencing weakness, increased pain, and delayed recovery.
- 22 4. I admit that if this matter had proceeded to a hearing, the Board staff may present
23 evidence, through the testimony of witnesses and through the admission of
24 documentary evidence, sufficient to prove the allegations of the complaint.
- 25 5. Although I deny the allegations, I admit the Board staff could prove the allegations,
26 and thus, I choose to voluntarily surrender my Nevada Nursing License in lieu of
27 defending the allegations of the complaint.
28

- 1 6. I admit these factual allegations constitute grounds for disciplinary action pursuant to
2 NRS 632.320(7) unprofessional conduct, because the conduct violated NAC
3 632.890(2) as performing acts beyond the scope of the practice of nursing.
- 4 7. I am aware of, understand, and have been advised of the effect of this Voluntary
5 Surrender.
- 6 8. I have read this Voluntary Surrender and I fully understand and acknowledge its facts
7 and terms.
- 8 9. I am aware that I have certain constitutional rights, including:
9 a. I have the right to hire an attorney to represent me in this proceeding;
10 b. I have the right to demand a hearing on the charges against me, and I can require
11 the Board staff to prove the allegations;
12 c. I have the right to cross-examine the witnesses against me;
13 d. I have the right to call witnesses to provide evidence in my own behalf;
14 e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B,
15 and 632. Also, I have rights accorded to me under Nevada Administrative Code
16 Chapter 632.
- 17 10. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently
18 waive these rights in return for the Board accepting my voluntary surrender of my
19 Nevada nursing license in lieu of defending the allegations of the complaint.
- 20 11. I understand this Voluntary Surrender and my decision not to challenge the
21 allegations of the complaint will result in the voluntary Surrender being considered as
22 a disciplinary action and as such will become part of my permanent record.
- 23 12. I understand this Voluntary Surrender is considered public information.
- 24 13. I understand this Voluntary Surrender is considered a disciplinary action and will be
25 reported to any national repository, which records disciplinary action taken against
26 licensees or certificate holders, or any agency or another state, which regulates the
27 practice of nursing.
- 28

14. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

15. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanction or other remedies that may be applicable under federal, state or local laws.

16. I understand that this surrender is effective the day it is accepted by the Nevada State Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree to immediately cease and desist from practicing as a Registered Nurse in the State of Nevada, and I am returning my license with this signed Voluntary Surrender of License In Lieu of Other Disciplinary Action.

I, ROBIN PALMER, by my signature affixed below, agree with the foregoing facts and representations and therefore choose to voluntarily surrender my Nevada nursing license.

Dated this 3 day of March, 2005



RESPONDENT
ROBIN PALMER

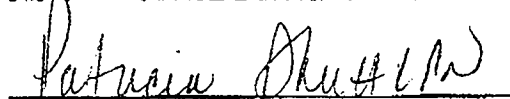
Dated this 3 day of MARCH, 2005


Christopher Phipps, ESQ.

Accepted and approved this 20 day of May, 2005.

NEVADA STATE BOARD OF NURSING

By:



Patricia Shutt, LPN
Board President

EXHIBIT D

**Disciplinary Action - *“In the Matter of License Number 629645
issued to Robin G. Palmer”***

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 629645	§	AGREED
issued to ROBIN G. PALMER	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ROBIN G. PALMER, Registered Nurse License Number 629645, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on October 20, 2004, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is currently on inactive status.
4. Respondent received a Baccalaureate Degree in Nursing from Midwestern State University, Wichita Falls, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 1996.
5. Respondent's complete professional nursing employment history is unknown.
6. On or about April 1, 2004, Respondent's license to practice professional nursing in the State of Nevada was issued a Reprimand by the Nevada State Board of Nursing, Reno, Nevada. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated April 1, 2004, is attached and incorporated by reference as part of this Order.

7. Charges were filed on July 2, 2004.
8. Charges were mailed to Respondent on July 6, 2004.
9. Respondent failed to file a written response to the Formal Charges filed on July 2, 2004.
10. On or about September 14, 2004, Respondent's license to practice professional nursing in the State of Texas was Revoked by default by the Board of Nurse Examiners, Austin, Texas. A copy of the Order of the Board dated September 14, 2004, is attached and incorporated by reference as part of this Order.
11. On or about September 27, 2004, Respondent filed a Motion for Rehearing.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(8), Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 629645, heretofore issued to ROBIN G. PALMER, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to ROBIN G. PALMER, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL fully comply with all the terms and conditions of the Order of the Board issued to ROBIN G. PALMER on April 1, 2004, by the Nevada State Board of Nursing. RESPONDENT SHALL CAUSE the Nevada State Board of Nursing to submit quarterly reports, on forms provided by the Texas Board, that ROBIN G. PALMER is in compliance with the Order of the Board, and RESPONDENT SHALL cause the Nevada State Board of Nursing to submit written verification of Respondent's successful completion of that Order. Evidence of compliance/completion with the terms of the Order of the Nevada State Board of Nursing, which includes a course in medication administration and a course in critical thinking, will be accepted as evidence of compliance/completion of the terms of this Order issued by the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

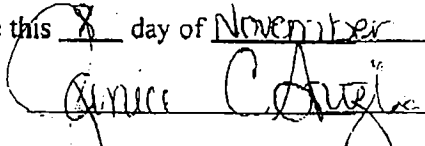
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

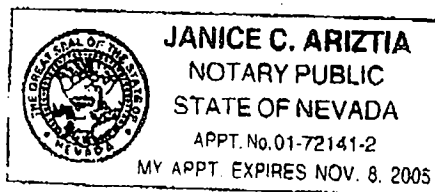
Signed this _____ day of _____, 20____.


ROBIN G. PALMER, Respondent

Sworn to and subscribed before me this 8 day of November, 2004.

SEAL


Notary Public in and for the State of Nevada



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 8th day of November, 2004, by ROBIN G. PALMER, Registered Nurse License Number 629645, and said Order is final.

Effective this 15th day of November, 2004.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

Katherine A. Thomas, MN, RN
Executive Director on behalf of said Board

EXHIBIT E

**Disciplinary Action - *“In the Matter of Registered Nurse License
Number 629645 issued to Robin G. Palmer”***

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse §
License Number 629645 §
issued to ROBIN G. PALMER §

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 629645, issued to ROBIN G. PALMER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in inactive status.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from Midwestern State University, Wichita Falls, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 1996.
4. Respondent's complete nursing employment history is unknown.
5. On or about November 15, 2004, Respondent was issued the sanction of Remedial Education by the Board of Nurse Examiners for the State of Texas. A copy of the November 15, 2004, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

629645:007

I certify this to be a true copy of
the records on file with the Board
of Nurse Examiners for the State of
Texas.

Date: 2/28/07

Signed: [Signature]

H5

6. Formal Charges were filed on October 6, 2005. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
7. Formal Charges were mailed to Respondent on October 10, 2005.
8. On October 3, 2005, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove a violation of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

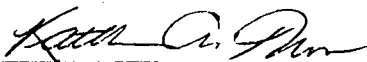
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 629645, heretofore issued to ROBIN G. PALMER, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of Registered Nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 26th day of October, 2005.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By: 
Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board